

Consumers point of view:

Numbered sections correspond to NOTICE OF PROPOSED RULEMAKING document MB Docket No. 02-230, Digital Broadcast Copy Protection.

Comments related directly to each subject and are the opinion and concerns of Shane Cooper, 800 Nelson Park Dr, Longmont Colorado, 80503.

1. As a consumer of broadcast content, I've never considered copy protection an issue in regards to the DTV transition. It is more of an economical decision than it is about what is being broadcast. It is fully understood that during this transition period, which will be years in the making, that not all content will be transmitted digitally. Consumers will adopt digital devices as their old devices become inoperable or cascaded down to a lesser importance in the house. It is difficult for a consumer to purchase a new device at a large cost when their existing 3 systems are perfectly adequate for their needs. Investing in new equipment has nothing to do with what content will be provided. Content providers have been supplying properly copy righted content for decades and have tried in the past to invoke copy protection as a reason to discontinue or not provide service. It fell on deaf ears then and is falling on deaf ears now, as far as a consumer is concerned.

2. I believe the broadcast flag standard is conceptually flawed on the basis that content has been provided with copy right infringement information management freely over the airwaves for years. Just because it's in a digital format does not give it any more weight than say the current analog transitions in place now. The argument of digital content being of higher quality doesn't hold any more importance as technology has come to a point now that the quality of various broadcast mediums provide extremely adequate quality programming for re-recording now. Digital format will not change the intent of the users. Copy right laws protecting content providers are already in place under United State Code Title 17 which refers to public broadcasting entities under Chapter 4 - Copyright Notice, Deposit, And Registration. This provision to control Copy Right information is already in place and subject to penalties and fines already dictated by Chapter 12, section 1204 of the same Title 17. How can providing a mark for digital broadcast programming truly understand the intent of the user or broadcast receiver? Digital methods cannot truly measure the users intent. Copy right infringement can only be detected after the fact or after a user or receiver has violated the copy right, not prior.

3. It is difficult as a consumer to understand why a content provider would withhold digital programming solely on the premise that digital programming copy protection scheme is lacking. This is preposterous in assuming that piracy will sky rocket without a copy protection scheme. Again, I submit to you how can such a flag truly understand or determine the intent of the individual user. Copy right notification should suffice as it has for decades. I do not believe that the issue of copy right protection is cause for delaying or preventing DTV transition. Content providers are delaying the transition using the lack of a copy protection scheme as an excuse to provide content. Again,

I submit to you as a consumer that the delay is more of a household economic decision, not a content availability decision.

4. I do not believe another bureaucratic regime is needed to resolve outstanding compliance and enforcement especially if the protection flag or mechanism is not implemented. While there's no clear definition or technical documentation on exactly how the flag mechanism will work, I believe it is not the appropriate technology to police or protect copy rights of the content providers. There are several ways those truly intent on breaking copy right laws can circumvent the system through means of tampering, removal or simply pointing another recording device at the screen. I believe that the knowledge of such a flag or potential digital control device will deter consumers more than encourage them to buy into the DTV transition. I know as a consumer, I will hold out to the bitter end if such a device is instituted. I also am concerned that such a device will cause more average consumers to be subject to the tampering laws. Normal law-abiding citizens may resort to such tampering and not realize that by doing so will in affect make them criminals.

5. I do not believe that a government mandate is necessary. I truly believe that there is enough of an incentive that the government needs to protect content providers and monitor such activity.

6. I greatly oppose the notion that the Commission should mandate that consumer electronic devices on the receiving end of such digital broadcasts be required to acknowledge any kind of content control marker. As already stated, I believe it will deter consumers from purchasing such devices rather than encourage them. I personally will look for alternatives if such devices are instituted. As far as regulating cable and direct broadcast satellite systems they should be even more excluded than the general airwaves. They already have control technology in place to insure that consumers purchase the appropriate programming through scrambling, descrambling technologies. Adding one more control mechanism will possibly even deter consumers from purchasing such services and undermine their business economics.

7. No comment. Do not understand the issues on this item enough to comment.

8. Controlling the content through copy protection technologies on digital broadcast could in fact impede a consumers right to religious freedoms. If a particular broadcast that is protected by copy right laws is controlled anywhere in up or down stream in the broad cast and a consumer who may work nights or other wise be unable to partake in a religious broadcast, but would prefer to watch it later, could be marginalized if they are unable to view their program due to such limiting factors.

9. I definitely believe the consumers rights will be trampled if such mechanisms are instituted. As a parent and a consumer of broadcast content, it will be difficult to monitor exactly what can be recorded and what can't. In affect, you will be placing an undue burden on the individual family who may want to record educational programming to be either reviewed with children or viewed at a more appropriate time. Limiting the flexibility of such actions will diminish the quality of television usage and even cause some children to not see a favorite program or movie if the content provider places harsh restrictions on the particular broadcast. If the flag is in place and used at the discretion of the content provider, it will greatly diminish and deter consumers from adopting digital technologies thereby lengthening the time frame to digital compliance rather than accelerating it. As far as costs are concerned, I certainly wouldn't want to pay any additional

costs for the 'feature'. However, if mandated by the Commission, it will be an additional cost that is passed onto the consumer regardless of whether we like it or not. At the cost of repeating myself, I believe it will be a deterrent to adoption of digital broadcast technology rather than an encouragement. As a consumer of television technology, I will hold out as long as possible before adopting a digital based receiver and/or television electronic device and possibly look for alternative means to receive broadcast or near broadcast quality programs.

10. I do believe the Commission has jurisdiction to rule on such matters, but it behooves the Commission to not concede to the content providers by regulating that a broadcast flag be required anywhere in the stream of broadcast content. As far as directly affecting the consumer products that will be impacted, I do believe that the Commission has the authority to impart such a ruling, but that they should consider all consumers concerns.

It is therefore my opinion that the digital broadcast flag is both unnecessary and a strong deterrent for consumers to adopt digital television technology in purchasing consumer electronics that supports the reception of digital broadcasts.

Shane Cooper | Support and QA Manager |
VERTIS DSG | 4775 Walnut St, Suite D-1 | Boulder CO 80301

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view:</p>

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<p>Shane Cooper | Support and QA Manager |
VERTIS DSG | 4775 Walnut St, Suite D-1 | Boulder CO 80301</p>

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